

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Allen, Reg. No. 48,389; on June 16, 2009.

2. The application has been amended as follows:

In the specification, page 1, first paragraph, after "October 3, 2001, now," delete "pending," and in its place, insert --U.S. Patent No. 6,984,241--.

In claim 111, line 7, after "and," insert --having a distal end--. In line 8, between "anchor" and the comma, insert --when the soft tissue anchor is installed within the first end of the housing--.

In claim 121, line 7, after "anchor," insert --when the soft tissue anchor is installed within the first end of the housing--.

3. The following is an examiner's statement of reasons for allowance: None of the prior art of record, alone or in combination, discloses an apparatus for repairing soft tissue, where the apparatus includes, inter alia, a housing having first and second

ends, the first end configured to receive a soft tissue anchor, a shaft or tubular shaft rotatable within and movable along a longitudinal axis of the housing and having an inner bore, and an inner member disposed within the shaft and movable along the inner bore independently of the shaft and the soft tissue anchor, where the inner member has an inner channel. The prior art of record also does not disclose an apparatus for repairing soft tissue, where the apparatus includes, *inter alia*, a tubular housing having first and second ends, the first end configured to receive a soft tissue anchor; a handle, a shaft rotatable within and movable along a longitudinal axis of the housing, and a driving member coupled with the shaft for rotation therewith, where the driving member has a distal end or distal portion configured to engage the soft tissue anchor when it is installed within the first end of the housing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Topar (2,726,091) and Wendel (3,216,471) teach apparatuses for driving anchors.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian W. Woo whose telephone number is 571-272-4707. The examiner can normally be reached on M-TH:6:30-4:00; alt. Fri.: 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tan-Uyen (Jackie) Ho can be reached on 571-272-4696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Julian W. Woo/
Primary Examiner, Art Unit 3773